**Scarborough and District Canoe Club**

**GDPR Policy**

1. **About this Policy**
   1. This policy explains when and why we collect personal information about our members, how we use it and how we keep it secure and your rights in relation to it.
   2. We may collect, use and store your personal data, as described in this Data Privacy Policy and as described when we collect data from you.
   3. We reserve the right to amend this Data Privacy Policy from time to time without prior notice. You are advised to check our website <http://www.scarboroughcanoeclub.org.uk/> or our Club notice board regularly for any amendments (such amendments will not apply retrospectively).
   4. We will always comply with applicable UK Data Protection legislation including GDPR when dealing with your personal data. Further details on the GDPR can be found at the website for the Information Commissioner (www.ico.gov.uk). For the purposes of the GDPR, we will be the “controller” of all personal data we hold about you.
2. **Who are we?**

We are The Scarborough and District Canoe Club. We can be contacted at:

Email: [scarboroughcanoeclub@gmail.com](mailto:scarboroughcanoeclub@gmail.com)

Mail: SDCC Secretary, Martyn Tebb

Tel:

1. **What information we collect and why**

| **Type of Information** | **Purposes** | **Legal Basis of Processing** |
| --- | --- | --- |
| Members’ name, address, telephone numbers, email addresses | Managing the membership for the member. | Performance of the club’s contract with the member.  Our legitimate interests in operating the club. |
| Name and age of member dependents | Managing member and dependents’ membership | Performance of the club’s contract with the member. |
| Emergency Contact Details | Contacting next of kin in event of emergency | Our legitimate interests in meeting our duty of care to members |

1. **How we protect your personal data**
   1. We will not transfer your personal data outside the European Economic Area without your consent.
   2. We have implemented generally accepted standards of technology and operational security in order to protect personal data from loss, misuse, or unauthorised alteration or destruction.
   3. Please note, however, that where you are transmitting information to us over the internet, then given the internet is not a secure medium, we cannot definitely guarantee the security of this information.
   4. For any payments which we take from you online we will use a recognised online secure payment system.
   5. We will notify you promptly in the event of any breach of your personal data which might expose you to serious risk.
2. **Who else has access to the information you provide us?**
   1. We will never sell your personal data. We will not share your personal data with any third parties without your prior consent (which you are free to withhold) except where required to do so by law or as set out in the table in paragraph 3 above or paragraph 5.2 below.
   2. We may pass your personal data to third parties who are service providers, agents and subcontractors to us for the purposes of completing tasks and providing services to you on our behalf (e.g. to print newsletters and send you mailings). However, we disclose only the personal data that is necessary for the third party to deliver the service and we have a contract in place that requires them to keep your information secure and not to use it for their own purposes.
3. **How long do we keep your information?**
   1. We will hold your personal data on our systems for as long as you are a member of the Club and for as long afterwards as is necessary to comply with our legal obligations. We will review your personal data every year to establish whether we are still entitled to process it. If we decide that we are not entitled to do so, we will stop processing your personal data with the exception of retaining your personal data in an archived form in order to be able to comply with future legal obligations, including but not limited to compliance with tax requirements and exemptions, and the establishment exercise or defence of legal claims.
   2. RIGHT TO BE FORGOTTEN
   3. We securely destroy all financial information once we have used it and no longer need it.
4. **Your rights**
   1. You have rights under UK and EU data protection law, including:
5. to access your personal data
6. to be provided with information about how your personal data is processed
7. to have your personal data corrected
8. to have your personal data erased in certain circumstances
9. to object to or restrict how your personal data is processed
10. to have your personal data transferred to yourself or to another business in certain circumstances.
    1. If you wish for us to erase your data as outlined in paragraph (3) above then please contact us at [scarboroughcanoeclub@gmail.com](mailto:scarboroughcanoeclub@gmail.com)

7.3If you have any concerns about how we process your personal data please contact us at [scarboroughcanoeclub@gmail.com](mailto:scarboroughcanoeclub@gmail.com)

* 1. You also have the right to take any complaint about how we process your personal data to the Information Commissioner: <https://ico.org.uk/concerns/> Telephone 0303 123 1113. Address - Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF
  2. For more details, please address any questions, comments and requests regarding our data processing practices to our club secretary, details found at paragraph 2 above.

Data Protection

This guidance note is intended to provide you with a basic introduction to data protection,

the laws that govern it in the UK, as well as outlining some steps you can take to ensure you

are complying with the relevant rules and laws. IIt is meant only as an introduction to what

is a complex and nuanced area and is not intended to constitute legal advice. If you are

unsure as to the implications for your particular club or your obligations under Data

Protection law we would recommend visiting the Information Commissioner's Office (ICO)

website or seeking specialist advice.

For the purposes of data protection a voluntary club or group would be held to the same

standards as any other business, and it is important that you are aware of your obligations to

your members. You may have additional obligations under GDPR, and the ICO

self-assessment tool will help you to determine what these are.

For more information on British Canoeing’s approach to privacy, see the Privacy Centre.

1. What is Data Protection?

At its most simple level, the ICO states that Data Protection is about the “fair and proper use

of information about people”. It is about ensuring that data is processed and stored

responsibly and fairly.

Data Protection law in the UK is set out in the Data Protection Act 2018 (DPA 2018) and,

since the UK’s exit from the European Union, the UK General Data Protection Regulation (UK

GDPR) which is the retained EU law version of the General Data Protection Regulation

(GDPR).

2. Is Data Protection relevant to my club?

If you have or obtain information about people for club or event purposes then the answer

is likely to be yes! This is the case regardless of the size of your club or organisation.

As a result, it’s important you have an understanding of the key principles and what steps

you need to take to ensure compliance.

3. Data Protection Key terms

Personal data is defined in the legislation as any information relating to an identified or

identifiable natural person. This could be any information you gather about a member or

potential member, customer or employee and does not need to be information you would

consider private or restricted. If you can identify an individual from the information, then it

will count as personal data.

Processing of data will cover almost anything that you do with data within your Club

including collecting, recording, storing, using, analysing, combining, disclosing or deleting it.

Last updated July 2021

A data controller is the person or organisation that decides why data has been collected and

how it will be used. It is the responsibility of the data controller to ensure that the

processing of that data complies with data protection law.

A data processor is a separate organisation who processes data on behalf of the controller,

in accordance with their instructions. The legal obligations on a data processor are more

limited than those imposed on a data controller. An example of a data processor would be

an external mailing company, such as Mailchimp.

4. Which regime applies to my Club?

As mentioned previously, both the DPA 2018 and UK GDPR are highly likely to impact your

club. The DPA 2018 sets out the main framework for data protection law in the UK replacing

the old Data Protection Act 1998. It supplements the UK GDPR which is based on the EU

GDPR which applied in the UK before its withdrawal from the EU. UK GDPR outlines the main

principles, rights and obligations with regards to processing personal data in the UK.

Whilst these different legal regimes may appear confusing, the ICO do offer a

self-assessment tool to help you decide which regime will apply most directly to you. You

can complete the self-assessment tool here.

In any event, whichever regime applies to your club, many of the fundamental principles of

data protection law remain the same.

5. Data Protection Principles

Article 5 of UK GDPR outlines the key data protection principles and it is these principles that

should form the basis of how you process personal data. You must ensure that data is:

1. used fairly, lawfully and transparently

This involves:

- identifying the valid grounds for collecting and using personal data (examined in

more detail below in the processing personal data section);

- using personal data in a way that is fair and not doing anything with the data that

breaches any laws;

- being clear and honest about how and why you are using an individual’s data.

2. used for specified, explicit purposes (‘purpose limitation’)

This involves:

- being clear about what your purposes for processing data are;

- ensuring you record your purposes and outline these clearly in your privacy

statements/notices;

- only using the data if it is in accordance with the original purpose.

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3. used in a way that is adequate, relevant and limited to only what is necessary

(‘data minimisation’)

This involves:

- using data in a way that is sufficient to properly fulfil your purpose whilst

ensuring the use has a link to that purpose and you do not hold or use more data

than is necessary to achieve that purpose.

4. accurate and, where necessary, kept up to date (‘accuracy’)

This involves:

- taking all reasonable steps to ensure the personal data is accurate and kept up to

date;

- taking reasonable steps to correct or erase incorrect data as soon as you become

aware of it.

5. kept for no longer than is necessary (‘storage limitation’)

This involves:

- not keeping personal data longer than is strictly necessary;

- having a policy which details how long you will retain data;

- regularly reviewing, and then anonymising or deleting data when it is no longer

needed;

- considering challenges to your retention policy or the data you hold in

accordance with the right to erasure principles.

6. handled in a way that ensures appropriate security of data (‘integrity and

confidentiality’).

This involves:

- ensuring protection against unlawful or unauthorised processing, access, loss,

destruction or damage;

- having appropriate security measures in place to protect the personal data you

hold.

The final principle is known as the accountability principle and this requires you to ensure

that you can evidence compliance with the rest of the principles detailed above.

Further, more detailed information on these fundamental principles can be found on the ICO

website but it is important to note that failing to comply with these principles can have

significant implications for your club with large fines permitted under the relevant

legislation.1

Processing Personal Data

1 UK GDPR Article 83(5)(a) details infringement of basic data protection principles could lead to a fine of up to

£17.5 million, or 4% of total worldwide annual turnover, whichever is higher.

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Whilst this guide cannot explain all 7 principles in detail, as a club, first and foremost you

must ensure that you adhere to principle 1, in that you must ensure you have a valid basis

for collecting and processing any personal data.

Article 6 of the UK GDPR details the 6 lawful basis for processing personal data. It is

important that one of these applies whenever you process personal data:

(a) Consent: the individual has given clear consent for you to process their personal data for

a specific purpose.

(b) Contract: the processing is necessary for a contract you have with the individual, or

because they have asked you to take specific steps before entering into a contract.

(c) Legal obligation: the processing is necessary for you to comply with the law (not

including contractual obligations).

(d) Vital interests: the processing is necessary to protect someone’s life.

(e) Public task: the processing is necessary for you to perform a task in the public interest or

for your official functions, and the task or function has a clear basis in law.

(f) Legitimate interests: the processing is necessary for your legitimate interests or the

legitimate interests of a third party, unless there is a good reason to protect the individual’s

personal data which overrides those legitimate interests.

In many instances, the lawful basis for processing an individual personal data will be

obvious. However, it is important that you know and document what lawful basis you are

relying on for your respective activities. If you are unsure what lawful basis you are relying

on in a given incidence, you can use the ICOs interactive tool to assist you in this regard.

More detailed information on each of the lawful basis can be found on the ICO website:

https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-pro

tection-regulation-gdpr/lawful-basis-for-processing/

6. Ensuring Compliance

Data Protection can be daunting but there are a number of steps you can take to check how

well your business is currently adhering to the principles and law in this area.

1. Does your club need to register with the ICO? - Every organisation or sole trader

who processes personal information needs to register and pay a fee to the ICO

unless they fall under one of the exemptions. If you are unsure whether you need

to register, take the ICO self-assessment tool.

2. Does yourclub need to appoint and register a Data Protection Officer(DPO)? - UK

GDPR introduces a duty for you to appoint a DPO if you carry out certain types of

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processing activities. If you are unsure whether you need to appoint a DPO take

the ICO self-assessment tool.

3. Complete the ICO Data protection self-assessment to consider how your club is

currently placed and what actions you need to take.

4. Complete a Data Audit to consider where you currently obtain data from, who you

take it from, who you send it to, where it is processed and why it is processed. This

allows you to identify areas of risk. A Data audit template along with a Data

Protection Impact Assessment can be found on the ICO website and you may find

these useful as a starting point.

5. Ensure that you have the right policies in place to ensure you are (a) fulfilling your

own obligations and (b) being as transparent as possible to those people whose

data you are processing. This is likely to include ensuring you have the following

documents although depending on your size you may find you are able to combine

these into one document. Again, the ICO have some templates you may find useful

on their website.

- Data Protection Policy – This overarching Policy explains how you handle

personal data and will usually include setting out the principles, rules and

guidelines that inform how you will ensure ongoing compliance with data

protection laws.

- Data Privacy Notice – This will tell an individual what data you will collect from

them and how it will be used and stored as well as explaining their rights in

respect of the data.

- Data Retention Policy – This Policy details how long you will retain and store

different types of data.

- Data Breach Policy – This Policy sets out what action you will take in the

unfortunate event that there is data breach where data is lost, wrongly deleted,

or shared inappropriately.

6. If you are a business employing less than 50 members of staff, you can seek help

and support directly from the ICO using their live chat or online advisory check up.

Last updated July 2021

<https://clubhouse.britishcanoeing.org.uk/?smd_process_download=1&download_id=1558>